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09/935,152	08/22/2001	Veijo M. Tuoriniemi	2110	9248

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EXAMINER

JOO, JOSHUA

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/935,152	Applicant(s) TUORINIEMI ET AL.	
	Examiner Joshua Joo	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment After Final filed on 2/16/2006

1. Claims 1-27 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 11, 13-16, 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable by Tanaka, US Patent #6,819,919 (Tanaka hereinafter), in view of Obradovich, US Patent #6,525,768 (Obradovich hereinafter).

4. As per claim 1, Tanaka teaches substantially the invention as claimed including the method for providing location information and matching mobile users. Tanaka's teachings comprise of:

a) having a demand-side geographic location information, and at least one demand parameter derived from at least one demand client computer (Col 2, lines 24-26; Col 3, lines 67 Profile information of the user. Search parameters. Col 2, lines 49-51. User's real-time position.);

b) storing on said host server said demand-side geographic location information, and said at least one demand parameter (Col 2, lines 19-24, 49-52. User profile and position is stored in database.);

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- c) having at a supply-side geographic location information, and at least one supply parameter derived from at least one supply client computer (Col 2, lines 24-26; Col 3, lines 67 Profile information of the user. Search parameters. Col 2, lines 49-51. User's real-time position.);
- d) storing on said host server said supply-side geographic location information, and said at least one supply parameter (Col 2, lines 19-24, 49-52. User profile and position is stored in database.);
- e) said host server searching at least one of:
 - i) said supply client computers having supply parameters matching said at least one demand parameter (Col 4, lines 1-2. Server finds matching profiles.); or
 - ii) said demand client computers having demand parameters matching said at least one supply parameter (Col 4, lines 1-2. Server finds matching profiles.);
- f) based on said searching, said host server providing at least one of:
 - i) said of supply client computers with at a current contact means of said demand client computers matching supply parameters (Col 4, lines 23-27. Provides means of contact.); or
 - ii) said demand client computers with at a current contact means of said supply client computers matching demand parameters Col 4, lines 23-27. Provides means of contact);
- g) at least one of said demand-side geographic location information and said supply-side geographic information being updated automatically on said host server in real time from a geographic location information system (Col 2, lines 49-51; Col 3, lines 56-61. Information is updated automatically in real-time.).

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5. Tanaka teaches of providing accessible portions of profile information to a matched user (Col 4, lines 19-20), where the profile contains user's location information (Col 2, lines 61-62).

However, Tanaka does not specifically teach of providing supply client computers with at least location information of said demand computer or providing said demand client computers with at least location information of said supply computer.

6. Obradovich teaches of receiving geographic location information from a user and a third party (Col 10, lines 35-36; Col 11, line 64-65) and providing the geographic location information of the user and the third party to the user or the third party through a displayable map (Col 12, lines 11-19).

7. Tanaka discloses a system that relates to personal meeting/matching services (Col 1, lines 16-26; Col 2, lines 14-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Obradovich with the motivation that the teachings of Obradovich to transmit a user's location information to another user would improve the system of Tanaka by allowing users to determine the location of another user and track the user as taught by Obradovich. Thus, the combination of Tanaka and Obradovich would provide users' contact information and also user's location information, which would facilitate the meeting of users.

8. As per claim 2, Tanaka teaches the computer assisted method of claim 1 wherein said geographic location information is automatically derived and updated from a GPS (Col 2, lines 65-66. GPS. Col 2, lines 49-51; 52-60. Automatically updated.).

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9. As per claim 3, Tanaka teaches of providing continuously changing geographic information (Col 3, lines 55-61) and a server capable of determining the locations of the users (Col 4, lines 2-6). However, Tanaka does not teach the computer assisted method wherein map coordinates is calculated on said host server.

10. Obradovich teaches of calculating map coordinates from location information provided by the user and the third party (Col 11, lines 64-66; Col 12, line 11-19).

11. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Obradovich because the teachings of Obradovich to calculate map coordinates would improve the teachings of Tanaka by allowing the server to provide the user's location and the matching user on a displayable map.

12. As per claim 4, Tanaka teaches the computer assisted method of claim 1 wherein said geographic information is and automatically derived and updated form telephone network positioning system (Col 2, lines 66-67. Cellular triangulation. Col 3, lines 52-55. Location is updated automatically.).

13. As per claim 5, Tanaka teaches the computer assisted method of claim 1 wherein a user of said supply-side or said demand side client computer provides said geographic location information (Col 3, lines 8-10. User manually enters position.).

14. As per claim 6, Tanaka teaches the computer assisted method of claim 5 wherein said geographic location information is given as map coordinates (Col 3, lines 21-22. Latitude and longitude coordinates.).

15. As per claim 11, Tanaka teaches the computer assisted method of claim 1 wherein said geographic location information can be saved for future (Col 2, lines 49-52. User's location is stored in a database.).

16. As per claim 13, Tanaka teaches of a user capable of pinpointing the user's location a map (Col 3, lines 7-11). However, Tanaka does not teach the computer assisted method wherein at least one of said supply-side geographic location information and said demand side geographic location information being derived from at least one supply or demand client computer, is used to pinpoint the location of said supply-side or said demand-side geographic location on a map being derived from at least one demand or supply client computer.

17. Obradovich teaches of obtaining a user's geographic location information and a third party's geographic location information and displaying the locations of the user and the third party on a map (Col 12, lines 10-19).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Obradovich because the teachings of Obradovich to obtain a user's geographic location information and a third party's geographic location information and display the locations of the user and the third party on a map would improve the teachings of Tanaka by allowing a user to easily locate a matched user by looking at the map.

19. As per claims 14 and 15, Tanaka does not teach the computer assisted method of claim 13 wherein said map is provided by a host server or an Internet server.

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20. Obradovich teaches a data provider of providing a map (Col 13, lines 40-41; Col 15, lines 20-23) through the Internet (Col 16, lines 41-42).

21. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Obradovich because the teachings of Obradovich to provide a map from an Internet server would improve the teachings of Tanaka by allowing the user to receive updated or additional maps, and storing the maps on the server would save memory space since memory space is limited on a mobile device.

22. As per claim 16, Tanaka and Obradovich taught the computer assisted method of claim 13. Tanaka further teaches the method wherein said map is resident of a client computer (Col 5, lines 5-11. Map on mobile unit.).

23. As per claim 18, Tanaka teaches the computer assisted method of claim 1 wherein said demand and supply parameters are chosen by a user of a client computer (Col 2, lines 21-25. User chooses parameters.).

24. As per claim 19, Tanaka teaches the computer assisted method of claim 1 wherein said demand and supply parameters are constant (Col 2, lines 24-26. Profile information is standard.).

25. As per claim 20, Tanaka teaches the computer assisted method of claim 1 wherein optional additional freestyle information can be given by a user of a client computer (Col 2, lines 25-26. User have the option to customize content.).

26. As per claim 21, Tanaka teaches the computer assisted method of claim 1 wherein a demand area definition parameter is derived from at least one client computer and said demand area definition parameter is stored on a host server (Col 6, lines 50-54. Search area specified by user. Col 2, lines 19-21. Profile is stored on the server.).

27. As per claim 22, Tanaka teaches the computer assisted method of claim 1 wherein one of said demand or supply parameter is a search area parameter and said search area parameter is a user-determined distance around the search-location (Col 6, lines 50-54. Search area specified by user.).

28. As per claim 23, Tanaka teaches the computer assisted method of claim 22 wherein said host server continuously updates said searching so as to include updated movement of said search area parameter and updated entry or exit from said search area parameter of a supply client computer or a demand client computer being searched within said search area parameter (Col 4, lines 4-11. Server continuously updates searching. Searching involves checking matching users in search radius. Col 3, lines 50-60. Server receives updated positions of users.).

29. As per claims 24 and 25, Tanaka teaches of the user capable of contacting a matched user through the use of the user's device (Col 4, lines 23-27) by contact means such as sending email or calling the person (Col 4, lines 36-41). However, Tanaka does not specifically teach the computer assisted method of claim 1 wherein at least one of said supply or demand client can contact a matched supply client or demand client by activating an available contact means

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on a computer screen and wherein a computer assisted method of claim 24 wherein said activating an available contact means is done by selecting an icon on said computer screen.

30. Obradovich teaches of using a mobile device that maintains location information of third parties via a GPS system, where a user of the mobile device can contact a third party by selecting a touch point, which enables entry of the third party's phone number (Fig. 11; Col 12, lines 1-14).

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Obradovich because both teachings deal with providing graphical map on a mobile device to provide location information of users. Furthermore, the teachings of Obradovich to allow a user to contact another user by selecting a touch point on the screen which enables entry of the third party's contact information would improve the teachings of Tanaka by specifically specifying the method in which the user contacts the matched user.

32. As per claim 26, Tanaka teaches the computer assisted method of claim 1 wherein said contact means is made anonymous (Col 4, lines 36-39. Email can be sent without revealing address or location. Caller id blocked.).

33. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka and Obradovich, in view of Craport et al, US Patent #5,978,747 (Craport hereinafter).

34. As per claims 7 and 8, Tanaka teaches of providing geographic information as a postal address (Col 3, lines 10-11) and further teaches of converting received geographic information into a data format used by the system (Col 3, lines 22-25). However, Tanaka does not teach

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the computer assisted method geographic information is converted to map coordinates by a dedicated program on said host server.

35. Craport teaches of providing address information (Col 10, lines 16-19), where address information is converted into map coordinates by program modules (Col 12, lines 44-53).

36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka, Obradovich, and Craport because all three teachings deal with identifying the geographical area of a mobile device. Furthermore, the teachings of Craport to convert address into map coordinates by program modules would improve the system of Tanaka and Obradovich by providing a precise and accurate location of users, and the map coordinates allow user locations to be displayed on a map for more easily locating users.

37. As per claim 9, Tanaka, Obradovich, and Craport taught the computer assisted method of claim 7. Tanaka further teaches wherein said postal address is entered through a stationary supply-side or said demand side client computer (Col 3, lines 5-7, 15. Computer. Col 3, lines 51-53. Fixed-point.).

38. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka, Obradovich, and Craport, in view of Milani et al, US Patent #5,684,860 (Milani hereinafter)

39. As per claim 10, Tanaka does not teach the computer assisted method of claim 7 wherein said postal address is given by a dispatcher.

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40. Milani teaches of an operator collecting and providing the address of a user for taxi service (Col 1, lines 20-30).

41. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka, Obradovich, and Milani because the teachings of Milani for a dispatcher to collect and provide the address of a user would improve the system of Tanaka and Obradovich by allowing a mobile user without GPS or triangulation capability to provide geographic location information.

42. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka and Obradovich in view of Olivier, US Patent #6,480,885.

43. As per claim 12, Tanaka does not teach a computer assisted method of claim 1 wherein said geographic location of a user of a client computer distributed to other client computer users can be obscured with predetermined accuracy.

44. Olivier teaches of geographic location of a user being obscured by using a small geographical area instead of the exact location (Col 15, lines 43-51).

45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka, Obradovich, and Olivier because Tanaka teaches of protecting a user's privacy by not revealing the user's identity. The teachings of Olivier to obscure the geographic location of a user would improve the system of Tanaka and Obradovich by further improving the security and the privacy of a user of the system by preventing users from locating each other.

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46. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka and Obradovich, in view of Jones, US Patent #6,741,927.

47. As per claim 17, Tanaka does not teach the computer assisted method of claim 1 wherein said distance between a geographical location information given by a supply client computer and geographic location information given by a demand client computer is measured on a host server and distributed to either demand-side client computer or supply-side client computer or both of them.

48. Jones teaches in the "Background of the Invention" of calculating and providing a distance between locations for a user of a mobile device with a GPS receiver (Col 1, lines 52-59).

49. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Jones because the teachings of Jones' "Background of the Invention" to calculate and provide the distance between the user's location and the destination would improve the teachings of Tanaka by allowing a user of Tanaka's system to specifically know the distance between the user and a matched user when the matched user falls within the user's search radius.

50. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka and Obradovich, in view of Dowling et al, US Patent #6,522,875 (Dowling hereinafter).

51. As per claim 27, Tanaka teaches the computer assisted method said geographic position of said client computer or said demand client computer is determined from a multiplicity of GPS satellites (Col 2, lines 65-66. GPS receiver.). Tanaka also teaches of transmitting

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parameters and additional information (Col 2, lines 19-26). However, Tanaka does not teach of a said demand-side and said-supply side geographic location information, with parameters and possible additional information, are delivered to and distributed from said host server by a two-way satellite link.

52. Dowling teaches of a mobile unit receiving GPS transmissions, where a satellite may be used to transmit and receive satellite communications data (Col 6, lines 39-47).

53. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Dowling because both teachings deal with a mobile unit receiving geographic position from a global positioning system. Furthermore, the teachings of Dowling to transmit and receive data using satellites would improve the teachings of Tanaka by allowing users in different geographical areas to transmit and receive data, especially in areas where ground based communications is weaker or not possible.

Response to Arguments

54. Applicant's arguments filed 2/16/2006, with respect to the rejection(s) of claim(s) 1 under Tanaka, in view of Obradovich have been fully considered and are persuasive. Therefore, the previously issued Final Rejection has been withdrawn. However, Applicant's arguments are moot in view of new ground(s) of rejection.

55. Applicant argued that (1) the Office Action is wrongfully quoting claim 1 and omits the emphasized language contained in brackets which is contained in claim 1. Specifically, "said host server providing at least one of: i) said of supply client computers with [*at least location information*]... ii) said demand client computers with [*at least location information and*]..."; (2) Tanaka is not a proper reference because the Examiner is relying on the provisional date of

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Tanaka and the provisional application fails to disclose the map feature relied on by the Examiner; and (3) The combination of Tanaka and Obradovich is not properly combinable and would be awkward and cumbersome, thus not an adequately motivated combination.

Examiner traverse the arguments:

56. As to point (1), it is respectfully noted that Examiner has not omitted the emphasized language. Applicant's claimed language can be found in the previous Final Rejection on Pages 4-5, Paragraph 7, and in this action, Paragraph 5. The rejection was made under 35 U.S.C. 103(a). Examiner specifically stated that Tanaka does not teach the argued limitations, and since the Tanaka does not teach the limitation, it was not included in the rejection by Tanaka alone. Applicant's argued claimed limitation was taught by Obradovich. The Examiner cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

57. As to point (2), the mapping feature is only relied upon as part of the motivation for combining Tanaka and Obradovich, thus it is not used to reject specific limitations of the claims. Therefore, the motivation for combining based on Tanaka's mapping feature is withdrawn, and a new motivation for combining the references is presented.

58. As to point (3), Applicant argument that Obradovich is not combinable with Tanaka is not valid because Applicant does not explain or describe how or why they would not be combinable. Applicant merely provides an explanation of Applicant's view and purpose of Obradovich's invention. In response to Applicant's argument that the combination would be awkward and

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cumbersome, thus not an adequately motivated combination, the Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

59. In this case, Tanaka discloses an invention for matching users with mobile devices by providing matching criteria and location information of users, such as GPS data. Upon matching, a user's contact information may be transmitted to another matched user so that matched users may communicate with each other. Obradovich teaches of transmitting location information, also GPS data, of a mobile device user (third party), and transmitting the location information of the third party to another mobile device user, wherein the third party's location information may be displayed on a map of the user's mobile device. Both Tanaka and Obradovich disclose of users with mobile devices transmitting location information to determine the location of the users, while in Tanaka, contact information is send to the user based on the determined geographic information, and in Obradovich, the geographic information is send to the users. The only feature lacking in Tanaka, transmitting location of a user to another user, is taught by Obradovich.

Since Tanaka discloses a system that relates to personal meeting/matching services (Col 1, lines 16-26; Col 2, lines 14-18), it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tanaka and Obradovich with the motivation that the teachings of Obradovich to transmit a user's location information to another user would improve the system of Tanaka by allowing users to determine the location of another user and track the user as taught by Obradovich. Thus, the combination of Tanaka and

Obradovich would provide users' contact information and also user's location information, which would facilitate the meeting of users.

Conclusion

60. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

61. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7 to 4.

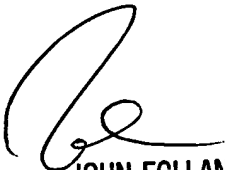
62. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571 272-3964. The fax phone number for the organization where this application or proceeding is assigned 571-273-8300.

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63. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 3, 2006

JJ



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100